

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By **CHAIRMAN BILL THOMAS**, on February 24, 2003 at 3:15 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Bill Thomas, Chairman (R)
Rep. Arlene Becker, Vice Chairman (D)
Rep. Mark Noennig, Vice Chairman (R)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Ray Hawk (R)
Rep. Daniel S. Hurwitz (R)
Rep. Larry Jent (D)
Rep. Penny Morgan (R)
Rep. Holly Raser (D)
Rep. Don Roberts (R)
Rep. Ron Stoker (R)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
CJ Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB698, HB681, HB729, HB726,
HB706, HJ31

Executive Action: HB681, Do Pass As Amended;
HB729, Tabled; HB542, Do Pass As
Amended; HB659, Do Pass As Amended;
HB524, Do Pass As Amended; HJ31, Do
Pass As Amended

HEARING ON HB 698

{Tape: 1; Side: A; Approx. Time Counter: 0 - 10.8}

Sponsor: REP. KIM GILLAN, HD 11, Billings

Opening Statement by Sponsor:

REP. GILLAN stated that HB 698 deals with traumatic brain injury (TBI) and: 1) provides for the creation of a permanent traumatic injury advisory council; and 2) provides a funding source for the advisory council through a voluntary check-off on motor vehicle registration cards. She suggested that an amendment could be added and that she disagrees with the fiscal note.

Proponents' Testimony:

Travis Ahner, Montana Trial Lawyers Association, said that MTA supports the council and has given away 3,000 helmets for kids on bikes, and will continue to give them away.

Wally Melcher, Montana Association for Independent Disability Services (MAIDS), and Montana Association for Rehabilitation (MAR), provided his written testimony in support of the bill.

EXHIBIT (huh41a01)

{Tape: 1; Side: A; Approx. Time Counter: 10.8 - 21.8}

Beta Lovitt, Physician Members of the Montana Medical Association, said they strongly support the bill.

Kimberly Evermann, President of Brain Injury Association of Montana (BIAM), gave examples of TBI; they support HB 698.

Lois McElravy, BIAM, said that she had a TBI approximately 13 years ago and told her story in support of HB 698.

Ramon Ranieri, BIAM, is a TBI survivor and shared his story and support of HB 698.

Bobby Ranieri, BIAM, mother of Ramon Ranieri, told how a family member with TBI affects that person as well as the rest of the family.

{Tape: 1; Side: A; Approx. Time Counter: 21.8 - 30}

Stacy Rye, Program Manager, BIAM, went through her two handouts: one is a page of facts regarding TBI; the other is a letter from Reg Gibbs, President, BIAM.

EXHIBIT (huh41a02)

Don Schaff said that his wife sustained a TBI; it has taken four years to find BAIM and get help. He supports HB 698.

Janie Rasel, BIAM, Liberty Place, said her brother had TBI but everyone thought he had DD. Her brother committed suicide.

Art Seigel, TBI victim, is also partially paralyzed from a heart attack/stroke. He said it took a long time to get the right diagnosis and help. He supports HB 698.

Clarice O'Leary, TBI victim, shared her story/support of HB 698.

{Tape: 1; Side: B; Approx. Time Counter: 0 - 6.8}

Jim Mickelson, Missoula, said that prevention is the only cure for TBI. He strongly supports HB 698.

Jeff Erickson, Missoula, also supports HB 698.

Robin Katherine Gregoire, TBI ski accident survivor, emphasized the need of information for TBI victims in emergency rooms.

June Hermanson, represents Montanans with Disabilities for Equal Access, emphasized the need for these services and this bill.

Matthew John Patrick, TBI victim, supports HB 698.

Judy Erickson said that she was hit by a car when she was three years old and sustained TBI. She supports this bill.

Opponents' Testimony: None

Informational Testimony:

Cecilia Cowie, DPHHS, Senior Long Term Care Division, stated that she was available to answer any questions.

{Tape: 1; Side: B; Approx. Time Counter: 6.8 - 12.1}

Questions from Committee Members and Responses:

REP. STOKER asked about the fiscal note. **The sponsor** responded.

REP. FACEY asked if the amendment she would like was only regarding the effective date. **REP. GILLAN** answered in the affirmative. **REP. FACEY** asked about the language in Lines 20-21 regarding the voluntary check-off. He also asked if they could advertise the program so they could get more donations on the vehicle registrations. **REP. GILLAN** responded.

REP. WINDY BOY asked about Page 1 of the bill regarding the membership criteria for the TBI list. **REP. GILLAN** answered that they look for survivors of TBI or those who participate in the injury control or prevention programs.

{Tape: 1; Side: B; Approx. Time Counter: 12.1 - 15.9}

REP. WINDY BOY questioned the check-off on the vehicle registration. **REP. GILLAN** explained the process, and stated that this was not a tax, since it is voluntary.

Closing by Sponsor:

REP. GILLAN closed on HB 698.

{Tape: 1; Side: B; Approx. Time Counter: 15.9 - 30}

HEARING ON HB 681

Sponsor: **REP. EDITH CLARK, HD 88, Sweetgrass**

Opening Statement by Sponsor:

REP. CLARK said that this bill creates the use of "medication aides" in assisted living facilities (ALF). She stated that 22 other states already have a program like this in place. If this bill passes, the Board of Nursing will develop the specific program.

Proponents' Testimony:

Rose Hughes, Executive Director for Montana Health Care Association, provided her written testimony and support for HB 681.

EXHIBIT (huh41a03)

Ray Hoffman, Regional Vice President, Peak Medical, strongly supports HB 681.

Judy Annin, Administrator for an ALF in Billings, read her written testimony.

EXHIBIT (huh41a04)

{Tape: 2; Side: A; Approx. Time Counter: 0 - 13.7}

Betty Beverly, Montana Senior Citizen's Association (MSCA), Director of Senior Citizens, supports this bill.

Pat Callbeck Harper, Associate State Director, AARP Montana, provided written testimony in support of HB 681.

EXHIBIT (huh41a05)

Linda Sandman, co-owner of two ALFs, also supports HB 681.

Mary Ann Ziebel-Chrichette, nurse in an ALF, supports HB 681.

Casey Blumenthal, MHA, supports HB 681.

Fred Annin, Marketing Director, Grand Park Vintage Suites, Billings, provided written testimony.

EXHIBIT (huh41a06)

Jim Brown, Administrator of the Business Standards Division, Department of Labor, stated that his division is over the Board of Nursing. They both support this bill.

Opponents' Testimony: None

Informational Testimony:

Cecilia Cowlie stated that she would be willing to answer any questions from the Committee.

{Tape: 2; Side: A; Approx. Time Counter: 13.7 - 25.8}

Questions from Committee Members and Responses:

REP. MORGAN asked about the aides' access to the medication. Barbara Swehla explained how medication is generally administered in different facilities. REP. MORGAN asked if there is any regulation regarding the access to medications. Ms. Swehla responded that DPHHS establishes general regulations.

REP. NOENNIG asked if "medication" is defined in statute. **Rose Hughes** replied that the Board of Pharmacy and the Board of Nursing have "medication" in their statutes. **REP. NOENNIG** and **Ms. Hughes** discussed medication and the supervision/authority an aide would have in administering that medication.

{Tape: 2; Side: A; Approx. Time Counter: 25.8 - 30}

REP. ROBERTS summarized that these are already-prescribed medications; the need is for someone to administer them.

Closing by Sponsor:

REP. CLARK closed on HB 681.

HEARING ON HB 729

Sponsor: **REP. JEFF LASZLOFFY, HD 22, Laurel**

Opening Statement by Sponsor:

REP. LASZLOFFY explained that this bill simply adds two check-off boxes to a form that is turned in to DPHHS after an abortion is performed. The boxes are to identify if the pregnancy was caused by rape or incest; the information will be used for statistical purposes.

{Tape: 2; Side: B; Approx. Time Counter: 0 - 13.6}

Proponents' Testimony:

Gregg Trude, Executive Director, Montana Right to Life (MRL), said that Montana code doesn't cover sexual abuse of children to be reported by physicians. MRL is trying to report elicit sexual relations between under-age girls and adult men to the appropriate authority.

Gilda Clancy, Eagle Forum of Montana, said that the Forum supports HB 729.

Julie Millam, Executive Director, Montana Family Coalition (MFC), said that they also support HB 729.

Lani Candelora, Montana Catholic Conference (MCC), said that this bill encourages reporting and they support it.

Harris Himes also strongly supports this bill.

Beth Brenneman, Legal Director, ACLU of Montana, stated that they support HB 729 and the statistical purposes it will be used for.

Opponents' Testimony: None

Informational Testimony:

Jeri Duran, Inter-Mountain Planned Parenthood (IMPP), said that they agree with the need to deal with sexual offenders. She added that IMPP is already required to report sexual assault or incest of minors. She expressed concern over the process and limited inclusion of the bill.

{Tape: 2; Side: B; Approx. Time Counter: 13.6 - 28}

Mike Barrett, citizen, poet, spoke to the Committee.

Questions from Committee Members and Responses:

REP. BECKER asked the sponsor for a copy of the present form.

REP. ROBERTS and **Beth Brenneman** discussed the reporting process and where the data will be sent.

REP. RASER and the sponsor discussed the reports only including abortions and not those who keep their children. **REP. LASZLOFFY** explained that the bill is aimed at gathering data and was not aware that those other options were not included.

REP. NOENNIG had a concern about only minors being included in the bill, and not identifying the offender. **The sponsor** added that this bill is only aimed at collecting statistical data.

REP. FACEY discussed the possibility of separating out the two classes of people: 1) adults; and 2) minors.

REP. HURWITZ asked who had requested the bill. **The sponsor** answered that MRL had requested it.

{Tape: 3; Side: A; Approx. Time Counter: 0 - 8}

REP. MORGAN suggested including a form at the OBGYN offices also.

REP. NOENNIG asked Gregg Trude about the reporting process to the authorities, when people are not identified. **Mr. Trude** explained that their purpose is simply to gather the data.

REP. JENT and the sponsor discussed policies regarding rape victims and law cases against the offenders.

Closing by Sponsor:

REP. LASZLOFFY closed on HB 729.

{Tape: 3; Side: A; Approx. Time Counter: 8 - 16.1}

HEARING ON HB 726

Sponsor: REP. CHRISTINE KAUFMANN, HD 53, Helena

Opening Statement by Sponsor:

REP. KAUFMANN said that this bill deals with foster care children. Foster kids have no experience in finding aid for themselves after they are dismissed from foster care. This leads them right back to the cycles of poverty and substance abuse. She wants to add ii to Lines 26-28 to clarify "foster care."

Proponents' Testimony:

Fred Fisher, Casey Family Programs, distributed his written testimony, letters from other supporters of the bill, and information on the Casey Act.

EXHIBIT (huh41a07)

{Tape: 3; Side: A; Approx. Time Counter: 16.1 - 30}

Robert Goetz, Co-owner, Chili O'Brien's Catering, member of Casey Family Community Resource Program, father of two, explained that he was a foster care child. He shared his experience and support of the bill.

Chris Christians, Montana Chapter, National Association of Social Workers, stated that over 100 kids each year leave foster care at age 18 in Montana and have no insurance. He supports HB 726.

EXHIBIT (huh41a08)

Jani McCall, Montana Children's Initiative, supports this bill.

Opponents' Testimony: None

Informational Testimony:

Dave Thorsen, DPHHS, Child and Family Services Division, made himself available for questions.

Questions from Committee Members and Responses:

REP. MORGAN asked about a fiscal note. The sponsor said that it is in progress.

REP. MORGAN questioned eligibility for TANIF and Medicaid at age 18. Dave Thorsen replied that some would qualify.

REP. FACEY asked about TANIF coverage for females who turn 18 and do not have children. Hank Hudson, DPHHS, said that coverage is dependent on low income and having dependent children.

REP. FACEY asked Chris Christensen for further clarification. Mr. Christensen said that under this bill, foster care children would have Medicaid coverage until age 21.

REP. NOENNIG said that he would like at least an estimate of the fiscal note. REP. KAUFMANN said there is no set amount yet, but a similar legislation in the past amounted to \$100,000.

{Tape: 3; Side: B; Approx. Time Counter: 0 - 14.2}

REP. HURWITZ had a question on the number of foster children who have no other resources when they turn 18. REP. KAUFMANN said it could be about 60-70 per year. Fred Fisher added some insight regarding what kids do who are still in school at age 18.

The Committee continued to ask questions regarding foster care and services they can qualify for, as well as what this bill will do.

{Tape: 3; Side: B; Approx. Time Counter: 14.2 - 16.1}

Closing by Sponsor:

REP. KAUFMANN closed on HB 726 and stated that the actual fiscal note on the similar bill she had referred to earlier was \$380,000 for the biennium.

{Tape: 3; Side: B; Approx. Time Counter: 16.6 - 24}

HEARING ON HJ 31

Sponsor: REP. TOM FACEY, HD 67, Missoula

Opening Statement by Sponsor:

REP. FACEY stated that the purpose of this bill is to authorize the setup of individual asset billing accounts (like a savings account) for education, entrepreneurial idea, or for housing. This will aid those who are currently on TANIF to get off the program and out of poverty.

EXHIBIT (huh41a09)

Proponents' Testimony:

Judy Smith, WORD, added that this resolution will help families get out of poverty. She explained that this is a pilot program to help families build their assets. She added that since the WORD organization has been doing this (six years), they have helped over 125 families.

EXHIBIT (huh41a10)

{Tape: 3; Side: B; Approx. Time Counter: 24 - 30}

Maureen Garrity, Career Training Institute (CTI), said that they have administered an asset-building program for 20 account holders and shared the success of that program.

Terry Kendrick, homeWORD, referred to the letter in Exhibit 9 and shared their success. She asked for the Committee's support.

Hank Hudson, DPHHS, added support for the program and the bill.

{Tape: 4; Side: A; Approx. Time Counter: 0 - 3.3}

Toni Plummer-Alvarnez, Welfare Reform Technical Assistance to the Tribes, added her interest in a program like this for the Tribal communities.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REP. WINDY BOY asked to include the Tribes in the study.

Closing by Sponsor:

REP. FACEY closed on HJ 13.

{Tape: 4; Side: A; Approx. Time Counter: 3.3 - 15.5}

HEARING ON HB 706

Sponsor: REP. DIANE RICE, HD 33

Opening Statement by Sponsor:

REP. RICE explained that this bill adds a penalty for employers who do not file a W-4 for new hires. This affects the amount of child support a working mother can obtain. The proponents were unable to come; they had to take care of their children.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

Lonny Olsen, DPHHS, Administrator, Child Support Enforcement Division, offered to answer questions from the Committee.

Questions from Committee Members and Responses:

REP. MORGAN asked the sponsor about the effective date. REP. RICE explained that the effective date was upon passage.

REP. NOENNIG asked why the penalty wasn't attached to the original law passed in 1997. REP. RICE said that the Montana legislature left it out of the federal act at that time. Lonny Olson added that the provisions were discretionary.

REP. HURWITZ asked if workers at Burger King or McDonalds receive a W-4. Lonny Olson affirmed that they do.

REP. WINDY BOY asked how the State collects child support. Lonny Olson said that the most common method is income withholding.

Closing by Sponsor:

REP. RICE closed on HB 706 and said that the fiscal note is still in rough draft, but is available.

{Tape: 4; Side: A; Approx. Time Counter: 15.5 - 28.6}

EXECUTIVE ACTION ON HB 542

Susan Fox, Legislative Services, distributed the amendment.

EXHIBIT (huh41a11)

Motion: REP. NOENNIG moved that HB 542 DO PASS.

Motion: REP. NOENNIG moved that HB 542 BE AMENDED.

Discussion:

Susan Fox explained the amendments. She also distributed a letter from REP. EVE FRANKLIN to the Committee.

EXHIBIT (huh41a12)

REP. WINDY BOY asked about the concern over the hours required. Ms. Fox explained that they have already worked it out.

Substitute Motion/Vote: REP. NOENNIG moved that HB 542 BE SUBSTITUTE AMENDED (to allow Staff to make technical corrections). Motion carried unanimously by voice vote.

Motion/Vote: REP. NOENNIG moved that HB 542 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

{Tape: 4; Side: B; Approx. Time Counter: 0 - 4.9}

EXECUTIVE ACTION ON HB 524

REP. ROBERTS explained that the bill is important to certain parties to be able to keep their businesses in Montana; he would like to reconsider the bill.

Motion/Vote: REP. ROBERTS moved HB 524 BE TAKEN OFF THE TABLE. Motion carried 11-1 by roll call vote. REP. WINDY BOY voted no; REP. GALLUS was not present for the vote.

Motion: REP. ROBERTS moved that HB 542 DO PASS.

Discussion:

REP. NOENNIG asked if an amendment was included with the bill previously. **CHAIRMAN THOMAS** replied that it was not.

{Tape: 4; Side: B; Approx. Time Counter: 4.9 - 14.1}

REP. HURWITZ said that he discussed the bill with **REP. MENDENHALL**, but was still unclear what the amendment will do. **Susan Fox** said that the amendment only licences programs that accept public funds or have government contracts. It also takes out the language dealing with mental health centers and could potentially apply to more people than just the Boulder program.

REP. SCOTT MENDENHALL, HD 39, agreed with Susan Fox's interpretation of the amendment.

REP. FACEY and **Kim Gardner, AYA**, discussed that when a program accepts funds, it cannot be accredited. They also addressed the clients who pay for the program. **REP. WINDY BOY** asked about the Tribal children who are involved in the program. **Ms. Gardner** expounded.

Motion: **REP. NOENNIG** moved that **HB 542 BE AMENDED**.

Discussion:

REP. MORGAN asked about making a licensure with the amendments, yet without a department to oversee the license. **Susan Fox** said that licensure would be under the DPHHS Quality Assurance Division.

Vote: Motion carried unanimously by voice vote. **REP. GALLUS** voted by proxy.

{Tape: 4; Side: B; Approx. Time Counter: 14.1 - 23.2}

Motion: **REP. ROBERTS** moved that **HB 542 DO PASS AS AMENDED**.

Discussion:

REP. BECKER had a question on Page 7, Line 21, that the Department cannot require accreditation to be licensed. **Kim Gardner, mental health facility owner**, responded and said that AYA does not want to exclude private programs that have accreditation, but also does not want to require duplicate accreditation.

REP. NOENNIG and **Kim Gardner** further discussed accreditation and the role of this bill.

Kim Gardner explained the outdoor program that was moved to Boulder, Colorado.

Vote: Motion carried 11-2 with **REPS. BECKER** and **FACEY** voting no by voice vote.

{Tape: 4; Side: B; Approx. Time Counter: 26 - 28}

EXECUTIVE ACTION ON HB 659

Motion: **REP. ROBERTS** moved that HB 659 DO PASS.

Discussion:

Susan Fox distributed the amendment.

EXHIBIT (huh41a13)

Motion: **REP. ROBERTS** moved that HB 659 BE AMENDED.

{Tape: 5; Side: A; Approx. Time Counter: 0 - 5.9}

Discussion:

Susan Fox explained that she forgot part of the amendment, so she offered a conceptual amendment on Page 1, Line 16.

Substitute Motion: **REP. NOENNIG** moved that HB 659 BE CONCEPTUALLY AMENDED.

Discussion:

REP. NOENNIG asked about the wording in the amendment. **Mr. Hudson** added that they intended it to read "monthly error does not exceed 150% of the recipient's monthly benefit." **REP. NOENNIG** added that wording into his previous motion for the conceptual amendment.

{Tape: 5; Side: A; Approx. Time Counter: 5.9 - 9.3}

REP. MORGAN asked how the amendment affects the fiscal note. **Hank Hudson** said that he expects the fiscal note to come down to \$10,000 or \$20,000.

Vote: Motion carried unanimously by voice vote.

Motion: REP. NOENNIG moved that HB 659 BE CONCEPTUALLY AMENDED.

Discussion:

Susan Fox explained the conceptual amendment in the title of the bill and on Line 14 to strike "public assistance" and specifying "TANIF cash assistance, child care assistance, or both."

Vote: Motion carried unanimously by voice vote.

{Tape: 5; Side: A; Approx. Time Counter: 9.3 - 12.8}

REP. JENT said that he doesn't like the idea and will vote against the bill.

REP. FACEY explained that TANIF rules are very complicated and recipients don't know much about them.

REP. STOKER said that he is opposed to the bill.

Motion/Vote: REP. NOENNIG moved that HB 659 DO PASS AS AMENDED. Motion carried 7-6 with REPS. STOKER, MORGAN, JENT, ROBERTS, WINDY BOY and HAWK voting no by roll call vote. REP. GALLUS voted by proxy.

{Tape: 5; Side: A; Approx. Time Counter: 12.8 - 20}

EXECUTIVE ACTION ON HJ 31

Motion: REP. FACEY moved that HJ 31 DO PASS.

Motion: REP. FACEY moved that HJ 31 BE AMENDED.

Discussion:

REP. FACEY distributed his amendment for Page 2, Line 7.

EXHIBIT (huh41a14)

Vote: Motion carried unanimously by voice vote.

Motion: REP. FACEY moved that HJ 13 DO PASS AS AMENDED.

{Tape: 5; Side: A; Approx. Time Counter: 15.8 - 21.5}

Discussion:

REP. MORGAN asked about a fiscal note. **REP. FACEY** stated that the bill will not have a fiscal note. **REP. MORGAN** and **REP. FACEY** then discussed the availability, eligibility, and use of TANIF funds.

{Tape: 5; Side: A; Approx. Time Counter: 21.5 - 24.6}

REP. NOENNIG said that Susan Fox had suggested that the word "authorize" not be used, since this is a resolution. **Susan Fox** said that this still leaves Mr. Hudson the full authority to decide if it would happen or not. In this case, the word "authorize" could be used.

Substitute Motion/Vote: **REP. NOENNIG** made a substitute motion that HJ 13 BE AMENDED (to change the wording from "authorize" to "encourage"). Motion carried unanimously by voice vote.

Vote: Motion carried unanimously by voice vote. **REPS. HAWK** and **GALLUS** voted by proxy.

{Tape: 5; Side: A; Approx. Time Counter: 24.6 - 30}

EXECUTIVE ACTION ON HB 681

Motion: **REP. ROBERTS** moved that HB 681 DO PASS.

Discussion:

REP. HURWITZ asked for clarification on the action of the bill.

REP. JENT said that he is concerned with decreasing the qualifications for those giving medical care. He added that he supports the bill, due to the support from the medical community.

REP. STOKER stated that he is against the bill.

REP. RASER added that she supports the amendment. She said that her daughter cannot give medication to herself. Allowing an aide to administer the medication will keep health care costs down.

REP. NOENNIG wanted to add a conceptual amendment to change "medications" on Page 2, Lines 4 and 6 to "drugs" since that is defined in code.

{Tape: 5; Side: B; Approx. Time Counter: 0 - 6.9}

Motion/Vote: REP. NOENNIG moved that HB 681 BE CONCEPTUALLY AMENDED. Motion carried unanimously by voice vote.

REP. FACEY asked REP. ROBERTS to explain the amendment.

REP. BECKER added that this bill only authorizes medication to be given to patients in ALFs, not in hospitals.

REP. RASER added that the bill can include larger facilities. Rose Hughes said that there are 140 ALFs in Montana and 80% of those have 20 beds or less; many of them have eight beds or less.

CHAIRMAN THOMAS clarified that this bill deals with prescription medication only after it has been prescribed; this authorizes an aide to administer that medication. He supports the bill.

Motion/Vote: REP. NOENNIG moved that HB 681 DO PASS AS AMENDED. Motion carried 12-1 with REP. STOKER voting no. REPS. HAWK, WINDY BOY, and GALLUS voted by proxy.

{Tape: 5; Side: B; Approx. Time Counter: 6.9 - 10.5}

EXECUTIVE ACTION ON HB 729

Motion: REP. MORGAN moved that HB 729 DO PASS.

Discussion:

REP. ROBERTS asked about the process of passing the bill now, but to be amended at a future date.

Susan Fox added that the title is written so narrowly that it leaves little room for amending.

REP. NOENNIG said that the title can be changed, within limits.

REP. MORGAN suggested that the form go to every physician within Montana, while only requiring doctors who perform abortions to report back to DPHHS. She added that the sponsor would not be opposed to that addition.

{Tape: 5; Side: B; Approx. Time Counter: 10.5 - 17}

REP. RASER said that the intention is good, but not all rape/incest pregnancies end in abortion; this will not provide a clear picture of what is happening.

REP. NOENNIG stated that a lot of the testimony wasn't in support of the actual bill; the purpose of the bill is only to get statistical information on rape/incest.

REP. ROBERTS stated that he agreed with **REP. MORGAN's** suggestion.

Motion/Vote: **REP. JENT** moved that **HB 729 BE TABLED**. Motion carried 9-4 with **REPS. HAWK, MORGAN, NOENNIG, and STOKER** voting no. **REPS. GALLUS and WINDY BOY** voted by proxy.

CHAIRMAN THOMAS closed the meeting.

ADJOURNMENT

Adjournment: 8:30 P.M.

REP. BILL THOMAS, Chairman

CJ JOHNSON, Secretary

BT/CJ

EXHIBIT (huh41aad)